

**BEFORE THE WASHINGTON  
UTILITIES & TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,

Complainant,

v.

Puget Sound Energy

Respondent.

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DOCKETS UE-220066, UG-220067, and UG-210918 (*Consolidated*)

**COREY J. DAHL  
ON BEHALF OF THE  
WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL  
PUBLIC COUNSEL UNIT**

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**EXHIBIT CJD-9**

Puget Sound Energy Response to WUTC Staff Data Request No. 312

**December 8, 2023**

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**Dockets UE-220066 & UG-220067  
Puget Sound Energy  
2022 General Rate Case**

**WUTC STAFF DATA REQUEST NO. 312:**

REQUESTED BY: Jacque Hawkins-Jones

**RE: PSE Petition to Amend Final Order**

Please provide documents that show how, or if, PSE engaged with the Settling Parties or any advisory groups on its decision to submit this petition for an amended order, before doing so.

**Response:**

As explained more fully below, Puget Sound Energy (“PSE”) did not engage with the Settling Parties<sup>1</sup> or advisory groups regarding the specific process for amending the Final Order in this proceeding, but PSE did engage in multiple discussions over several months with certain Settling Parties and the Low-Income Advisory Committee (“LIAC”)<sup>2</sup> regarding the harm caused by the growing arrearage balances.

In Fall of 2022, PSE presented to the LIAC a summary of field collection process discussions between PSE and the LIAC since 2020 that included a tentative roadmap plan proposal for a phased-in dunning process. PSE discussed and created its phased-in proposal with input from the LIAC prior to the Settlement Agreement. According to this roadmap, PSE planned to move to Phase 2 dunning process starting in February 2023.

Following the LIAC discussions of Fall 2022, PSE understood that a consensus of the LIAC members interpreted moving to Phase 2 of PSE’s proposed phased-in dunning

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<sup>1</sup> Dockets UE-220066 et al (Puget Sound Energy 2022 general rate case), *Settlement Stipulation and Agreement on Revenue Requirement and All Other Issues Except Tacoma LNG and PSE’s Green Direct Program* (August 26, 2022) (“Settlement Agreement”). Settling Parties: PSE, staff of the Washington Utilities and Transportation Commission (“Staff”), Alliance of Western Energy Consumers (“AWEC”), The Energy Project (“TEP”), NW Energy Coalition (“NWECC”), Federal Executive Agencies (“FEA”), Walmart, Kroger, Sierra Club, Front and Centered, Microsoft, and Nucor Steel Seattle. The Public Counsel Unit of the Washington Office of the Attorney General (“Public Counsel”) supported many of the Settlement’s terms, including low-income issues, but opposed or took no position on several other terms.

<sup>2</sup> The following are common parties to PSE’s 2022 GRC Settlement Agreement and the LIAC: PSE, Staff, AWEC, TEP, and NWECC. The LIAC also includes Public Council, Washington State Department of Commerce, and Community Action Agencies.

process would be in violation of Paragraph 40 of the Settlement Agreement.<sup>3</sup> Attached as Attachment A to PSE's Response to WUTC Staff Data Request No. 312, please find a copy of correspondence from three LIAC parties (TEP, Public Counsel, and NWECA) demonstrating this position. Therefore, PSE stayed at its collection process Phase 1; meanwhile, the conclusion of Docket U-210800 has not occurred, and as such, PSE's arrearages have accumulated to unprecedented amounts and continue to grow. PSE has been in Phase 1 dunning process since November 2021.

PSE continued to provide updates to the LIAC on dunning process that included current data of how Phase 1 was going, and status updates to the LIAC on the Customer Notice and Fees Rulemaking (Docket U-210800), to which Paragraph 40 of the Settlement Agreement is connected.

In Summer 2023, PSE filed extensive written comments ("Comments") in Docket U-210800 where PSE described the challenges PSE is currently facing. In the Comments, PSE described the issue of staggering and unprecedentedly large arrearage balances, which continue to accumulate and will continue to rise if PSE is unable to return to dunning procedures beyond Phase 1.

Over Spring and Summer 2023, PSE met with individual Staff in different contexts and in different conversations and discussed the challenge. Staff disagreed with PSE's interpretation that moving to Phase 2 of the dunning process would not be in violation of the Settlement Agreement, and Staff did not offer any alternative solution. Attached as Attachment B to PSE's Response to WUTC Staff Data Request No. 312, please find a copy of an email referencing one such conversation.

Ultimately, in light of the rapidly growing arrearages, PSE determined that further discussions regarding amending the Settlement Agreement would be fruitless.

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<sup>3</sup> Dockets UE-220066 et al (Puget Sound Energy 2022 general rate case), *Settlement Stipulation and Agreement on Revenue Requirement and All Other Issues Except Tacoma LNG and PSE's Green Direct Program* (August 26, 2022). Paragraph 40: "PSE agrees to continue its existing credit and collection processes until the conclusion of the proceeding currently being conducted in Docket U-210800."